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September 19, 2022

VIA ECF

The Honorable Colleen McMahon

Daniel Patrick Moynihan

United States Courthouse

500 Pearl Street

New York, New York 10007-1312

Re: Curry Management Corp. and Curry Corporation v.

JPMorgan Chase Bank, N.A.

Civil Action No.: 22-cv-05006

Dear Judge McMahon:

MEMO ENDORSED

This office represents Plaintiffs, Curry Management Corp. and Curry Corporation, in connection with the above-referenced matter. Please accept the following as Plaintiffs' Motion for an Order permanently sealing ECF Document No. "15-1" (hereinafter "Doc. No. 15-1"), which is Exhibit "A" to the undersigned's Declaration in Opposition to Defendant's Pre-Answer Motion to Dismiss.

Following the filing of the Declaration (ECF Document No. 15) on September 12, 2022, the undersigned learned that a letter addressed to another client containing privileged and confidential information unrelated to this matter had been inadvertently appended to the end of Doc. No. 15-1 by this office. In prompt fashion, Plaintiffs refiled the Declaration in its entirety, including a corrected Exhibit "A", as ECF Document Nos. 18 and 18-1. Thereafter, our office contacted the ECF HelpDesk who marked the original filing as deficient, temporarily sealed Doc. No. 15-1 and placed a note of referral on the docket to the new filing.

Plaintiffs now respectfully bring the instant application seeking a permanent seal of Doc. No. 15-1. As noted above, the subject letter that was mistakenly filed as part of Exhibit "A" of Plaintiffs' Declaration contains privileged and confidential information to another client that has no bearing on the instant

Is there some reason why this exhibit should not be removed from the docket? I am happy to seal it but only if it does not be in the file at all.

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matter. Accordingly, it is respectfully submitted that Doc. No. 15-1 does not qualify as a "judicial document" and, thus, granting this application would not infringe on the common law and First Amendment right of public access to such documents. See United States v. Amodeo, 44 F3d 141, 145 (2d Cir 1995) ("...the item filed must be relevant to the performance of the judicial function and useful in the judicial process in order for it to be designated a judicial document."). Moreover, a corrected Exhibit "A", sans letter, has already been refiled and is presently available on the public docket as ECF Document No. 18-1.

In light of the aforementioned, it is respectfully requested that an Order be issued permanently sealing Doc. No. 15-1. Defense counsel has been apprised of this application and consents to the Court's permanent sealing of Plaintiffs' filing as outlined above.

Thank you for the opportunity to address the Court in this matter.

Respectfully submitted,

/s/ Michael C. Lamendola

Michael C. Lamendola

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